

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL WHITE : CIVIL ACTION
: :
: v. :
: :
DONALD VAUGHN, et al. : NO. 94-6598

ORDER

AND NOW, this 29th day of December, 2022, upon consideration of Petitioner Michael White's Amended "Motion for Relief from Final Judgment Pursuant to Fed. R. Civ. P. 60(b)(6)" (Docket No. 50), and all documents filed in connection therewith, as well as Petitioner's Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 (Docket No. 1), and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** as follows:

1. Petitioner's Amended Motion for Relief from Judgment Pursuant to Fed. R. Civ. P. 60(b)(6) is **GRANTED**.
2. This Court's prior judgment dismissing Petitioner's Petition for Writ of Habeas Corpus (Docket No. 17) is **VACATED** insofar as it denied as procedurally defaulted Petitioner's claim that the prosecution violated Brady v. Maryland, 373 U.S 83 (1963), by failing to disclose the arrest record of Georgell Lewis.
3. Petitioner's Petition for Writ of Habeas Corpus is **GRANTED** as to that prosecutorial misconduct claim based on Brady, and Petitioner's conviction and sentence are **VACATED**.
4. The Commonwealth of Pennsylvania is directed to **RETRY** or **RELEASE** Petitioner within 180 days of the date of this Order.

BY THE COURT:

/s/ John R. Padova, J.

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